

The Law Offices of Christine A. Roberts PLLC
Christine A. Roberts, Esq.
Nevada Bar No: 6472
3815 S. Jones Blvd. Suite 5
Las Vegas, NV 89103
Telephone: (702) 728-5285
Email: christine@crobertslaw.net

Electronically Filed: March 13, 2019

Attorneys for HLS of Nevada LLC *dba* Nevada West Financial

UNITED STATES BANKRUPTCY COURT
District of Nevada

In Re

KIMBERLY YAVONNE BUSTAMANTE

Debtor.

CASE NO.: BK-S-18-16305-mkn

Chapter 13

**STIPULATION FOR ADEQUATE
PROTECTION PAYMENTS**

COMES NOW, HLS of Nevada LLC *dba* Nevada West Financial ("Creditor"), by and through its attorney, Christine A. Roberts, of The Law Offices of Christine A. Roberts PLLC, and Debtor Kimberly Yavonne Bustamante by and through her counsel Peter M. Aldous, Esq. and stipulate and agree to adequate protection payments.

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STIPULATED FACTS

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2 1. On or about October 26, 2018, the Debtor filed this Chapter 13 Voluntary Petition and
3 an order for relief was entered. Debtor has filed previous bankruptcies. Debtor filed a Chapter 13
4 bankruptcy case, Case No. 13-18334. The case was dismissed on January 28, 20014. On December
5 29, 2016 Debtor filed a Chapter 13 bankruptcy case, case number 16-16858. On May 3, 2017
6 Debtor filed a Chapter 13 bankruptcy case, case number 17-12353. On September 17, 2018 the case
7 was dismissed. Debtor also filed a Chapter 7 bankruptcy case, case number 08-20665 which was
8 dismissed on December 22, 2008.

9 2. Debtor, Kimberly Bustamante entered into a Vehicle Sale Agreement with Nevada
10 West Financial for a 2011 Kia Sorento, Vin # 5XYKT3A14BG109289 whereby Nevada West
11 Financial financed the amount of \$13,180.61. (A copy of the agreement is attached hereto and
12 incorporated herein as Exhibit "1").

13 3. The agreement term commenced on February 3, 2016 and continued for 60 months.
14 According to the contract the Debtor agreed to pay \$379.18 monthly at an annual interest rate of
15 24%. The loan payoff including interest as of November 29, 2018, is \$18,942.57.

16 4. Creditor has only received two partial payments on the vehicle loan since the filing of
17 the previous petition, the last having been received from the Trustee on April 5, 2018.

18 5. Debtor proposes to cram down the vehicle in the plan but has not filed a motion to
19 value collateral.

20 6. The court has entered an order continuing the stay as to all creditors.

21 7. The deadline to object to Debtor's discharge is January 28, 2019.

22 8. The parties have now reached an agreement for the amount of the payments, the
23 interest rate for the Creditor to receive monthly.

SETTLEMENT TERMS

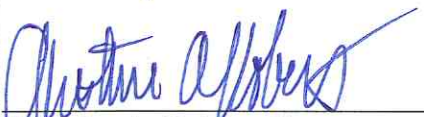
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26 IT IS HEREBY STIPULATED AND AGREED that Debtor shall pay HLS the sum of
27 \$7,550.00 with an interest rate that will be reduced to 6.5%;
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1 IT IS FURTHER STIPUALTED AND AGREED that the Chapter 13 Trustee shall make
2 regular monthly payments of \$147.72 to HLS beginning April 1, 2019 and on the 1st day each month
3 thereafter until confirmation of the plan;

4 IT IS FURTHER STIPULATED AND AGREED that if Debtor fails to make any payment
5 timely pursuant to the terms of this stipulation Nevada West Financial may file an ex parte
6 application for an order for relief from stay allowing Debtor to turnover the vehicle to the Creditor or
7 allowing the Creditor to repossess the vehicle immediately;

8 IT IS FURTHER STIPUALTED AND AGREED that Debtor shall maintain insurance on the
9 vehicle and timely pay any and all registration fees for the vehicle.
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14 Dated this 13th day of March 2019

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17 Christine A. Roberts Esq.
18 Law Offices of Christine A. Roberts
19 3815 S. Jones Blvd. Ste. 5
20 Las Vegas, NV 89103
21 Attorney for HLS of Nevada LLC
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Dated this 13th day of March 2019

/s/Peter Aldous
Peter Aldous, Esq.
Haines & Kreiger LLC
8985 S. Eastern Ave Ste. 350
Henderson, NV 89123
Attorney for Debtors